

OCT 09 2008

JOHN F. CONCORAN, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DANIEL PAYNE SHADWELL,
Petitioner,

v.

BRUCE CONOVER, et al.,
Respondent.

)
) Civil Action No. 7:08-cv-00539
)

) **FINAL ORDER**
)

) By: Samuel G. Wilson
) United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Shadwell's 28 U.S.C. § 2254 petition shall be and hereby is **DISMISSED without prejudice**; Shadwell's motion to proceed in forma pauperis is **DENIED as moot**; and this action shall be **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order and accompanying Memorandum Opinion to the petitioner.

ENTER: This 9th day of October, 2008.



United States District Judge